

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/960,684	WAGNER ET AL.	
	Examiner Cao (Kevin) Nguyen	Art Unit 2173	

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 09/21/01.
2.  The allowed claim(s) is/are 31-38.
3.  The drawings filed on 21 September 2001 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 09/21/01
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.



CAO (KEVIN) NGUYEN  
PRIMARY EXAMINER

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Tarek Fahmi on 11/02/04.

On page 1 of the Specification in 1<sup>st</sup> paragraph continuing data can be inserted this application is a divisional of Patent No. 6,600,496.

Claims 23-30 and 39-46 have been cancelled.

***Allowable Subject Matter***

2. Claims 31-38 are allowed over the prior art of record.

The following is a statement of reasons for the indication of allowable subject matter:

Applicant has claimed uniquely distinct features in the instant invention which are not found in the prior art either singularly or in combination a method of generating a user interface in a client processing system connectable to a television set, the television set having a display device, the display device having a display area, the method comprising the steps of displaying a menu window within only a portion of the display device, the menu window including a plurality of icons located adjacent to each other, each of the icons representing a different function selectable

by a user; in response to receiving a user input selecting one of the icons redisplaying at least one of the icons in the menu window, such that said at least one of the icons appear to be shifted in position, to provide a space adjacent to the selected icon; and displaying a description of the function represented by the selected icon in the space, wherein all of the plurality of icons remain visible while the description is displayed. These features are not found or suggested in the prior art.

The present invention is directed to the method comprising the steps of displaying a menu window within only a portion of the display device, the menu window including a plurality of icons located adjacent to each other, each of the icons representing a different function selectable by a user; in response to receiving a user input selecting one of the icons redisplaying at least one of the icons in the menu window, such that said at least one of the icons appear to be shifted in position, to provide a space adjacent to the selected icon; and displaying a description of the function represented by the selected icon in the space, wherein all of the plurality of icons remain visible while the description is displayed. Each independent claim is identified "in response to receiving a user input selecting one of the icons redisplaying at least one of the icons in the menu window, such that said at least one of the icons appear to be shifted in position, to provide a space adjacent to the selected icon; and displaying a description of the function represented by the selected icon in the space, wherein all of the plurality of icons remain visible while the description is displayed." The closest prior art of Montulli and Maa disclose a conventional system includes a video display adapted to display a video portion of the video signal. The system also includes an Internet access device including a decoder adapted to extract the Internet

information pointer encoded in the video signal, the access device being adapted to connect to the Internet to access the Internet based on the extracted Internet information pointer; either singularly or in combination fail to anticipate or render the above underline limitations obvious.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2173

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cao (Kevin) Nguyen  
Primary Examiner  
Art Unit 2173

11/05/04